



PUBLIC NOTICE

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Federal Communications Commission
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DA 04-2899
September 7, 2004

COMMENTS INVITED ON APPLICATION OF RCN TELECOM SERVICES OF VIRGINIA, INC. TO DISCONTINUE DOMESTIC TELECOMMUNICATIONS SERVICES

WC Docket No. 04-345
Comp. Pol. File No. 691

Comments Due: September 21, 2004

Section 214 Application

Applicant: RCN Telecom Services of Virginia, Inc.

On August 19, 2004, RCN Telecom Services of Virginia, Inc. (RCN-VA or Applicant), located at 105 Carnegie Center, Princeton, NJ 08540, filed an application with the Federal Communications Commission (FCC or Commission) requesting authority to the extent necessary, under section 214 of the Communications Act of 1934, as amended, 47 U.S.C. § 14, and section 63.71 of the Commission's rules, 47 C.F.R. § 63.71, to relinquish its section 214 authority and discontinue domestic telecommunications services.

RCN-VA indicates that it seeks to relinquish its domestic section 214 authority "in order to wind-up the affairs of an in-active entity." Specifically, RCN-VA states that it is not currently providing or offering, and has not recently provided or offered, any telecommunications services to customers, but that it seeks to relinquish its authority to provide interstate telecommunications services. RCN-VA adds that its request will not result in any customer discontinuances or any impairment of service to any customers, so no notice to customers was necessary. RCN-VA further states that it is a non-dominant carrier with respect to all services.

In accordance with section 63.71(c) of the Commission's rules, RCN-VA's application will be deemed to be granted automatically on the thirty-first (31st) day after the release date of this public notice, unless the Commission notifies RCN-VA that the grant will not be automatically effective. Accordingly, pursuant to section 63.71(c), absent further Commission action, RCN-VA may not terminate service until October 8, 2004. The Commission will normally authorize proposed discontinuances of service unless it is shown that customers or other end users would be unable to receive service or a reasonable substitute from another carrier, or that the public convenience and necessity would be otherwise adversely affected.

This proceeding is considered a "permit but disclose" proceeding for purposes of the Commission's *ex parte* rules, 47 C.F.R. §§ 1.1200-1.1216. Comments objecting to this application must be filed with the Commission on or before **September 21, 2004**. Such comments should refer to **WC Docket No. 04-345 and Comp. Pol. File No. 691**. Comments should include specific information about the impact of this proposed discontinuance on the commenter, including any inability to acquire reasonable substitute service. Comments may be filed using the Commission's Electronic Comment Filing System (ECFS) or by filing paper copies. *See Electronic Filing of Documents in Rulemaking Proceedings*, 63 Fed. Reg. 24121 (1998). Comments filed through the ECFS can be sent as an electronic file via the Internet to <http://www.fcc.gov/e-file/ecfs.html>. Generally, only one copy of an electronic submission must be filed. In completing the transmittal screen, commenters should include their full name, U.S. Postal Service mailing address, and the applicable docket or rulemaking number. Parties may also submit an electronic comment by Internet e-mail. To get filing instructions for e-mail comments, commenters should send e-mail to ecfs@fcc.gov, and should include the following words in the subject line "get form <your e-mail address>." A sample form and directions will be sent in reply.

Parties who choose to file by paper must send an original and four (4) copies of the comments to the Office of the Secretary, Federal Communications Commission, 445 12th Street, S.W., Room TW-A325, Washington, D.C. 20554. Two (2) copies of the comments should also be sent to the Competition Policy Division, Wireline Competition Bureau, Federal Communications Commission, 445 12th Street, S.W., Room 6-A207, Washington, D.C. 20554, Attention: Carmell Weathers. In addition, comments should be served upon the Applicant. Commenters are also requested to fax their comments to the FCC at (202) 418-2345, Attention: Carmell Weathers.

Filings can be sent by hand or messenger delivery, by commercial overnight courier, or by first-class or overnight U.S. Postal Service mail (although we continue to experience delays in receiving U.S. Postal Service mail). The Commission's contractor, Natek, Inc., will receive hand-delivered or messenger-delivered paper filings for the Commission's Secretary at 236 Massachusetts Avenue, N.E., Suite 110, Washington, D.C. 20002. The filing hours at this location are 8:00 a.m. to 7:00 p.m. All hand deliveries must be held together with rubber bands or fasteners. Any envelopes must be disposed of before entering the building. Commercial overnight mail (other than U.S. Postal Service Express Mail and Priority Mail) must be sent to 9300 East Hampton Drive, Capitol Heights, MD 20743. U.S. Postal Service first-class mail, Express Mail, and Priority Mail should be addressed to 445 12th Street, S.W., Washington, D.C. 20554. All filings must be addressed to the Commission's Secretary, Office of the Secretary, Federal Communications Commission.

The application will be available for review and copying during regular business hours at the FCC Reference Center, Portals II, 445 12th Street, S.W., Room CY-A257, Washington, D.C. 20554, (202) 418-0270. A copy of the application may also be purchased from the Commission's copy contractor, Best Copy and Printing, Inc., 445 12th Street, S.W., Room CY-B402, Washington, D.C. 20554, telephone (202) 488-5300, facsimile (202) 488-5563, or via e-mail at FCC@BCPIWEB.COM.

For further information, contact Carmell Weathers, (202) 418-2325 (voice), carmell.weathers@fcc.gov, or Denise Coca, (202) 418-0574 (voice), denise.coca@fcc.gov.

of the Competition Policy Division, Wireline Competition Bureau. The TTY number is (202) 418-0484. For further information on procedures regarding section 214 please visit http://www.fcc.gov/wcb/cpd/other_adjud.

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